

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE BIOVAIL CORPORATION
SECURITIES LITIGATION

Master File No. 1:03-CV-8917 (AKH)

~~IN RE~~ ORDER

WHEREAS, on January 19, 2011, the Court entered an Order Approving Class Distribution and Overruling Objection, and a Class Distribution Order, approving, among other things, the rejection of four Disputed Claims and approving the distribution of the Net Settlement Fund to 16,985 approved eligible claimants; and

WHEREAS, the Disputed Claimants are appealing the rejection of their claims.

NOW, THEREFORE, IT IS HEREBY ORDERED:

ORDERED, that the fourth Ordering paragraph of the January 19, 2011 Class Distribution Order, is amended as follows to authorize the withholding of a \$3,468,000 reserve in case the Disputed Claims are ultimately accepted (new language in *italics*):

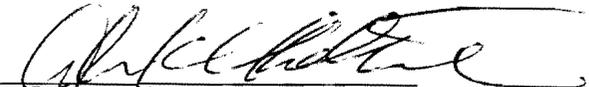
ORDERED, that the balance of the Settlement Fund after deducting the payments previously allowed and set forth herein, and after payment of any estimated taxes and the costs of preparing appropriate final tax returns and any escrow fees *and after withholding, from those Authorized Claimants otherwise eligible to currently receive a payment of \$100 or more, an amount sufficient to pay the Disputed Claims the proportionate amount that they would have been allowed if they were actually Class Members* (the "Net Settlement Fund") shall be distributed to the eligible claimants listed on parts 1 and 2 of the computer printout submitted with the Affidavit of Peter M. Craig in proportion to the Recognized Claim allocable to each such eligible claimant as shown on such

printout whose *pro rata* share of the Net Settlement Fund would be at least \$10;
and it is further

ORDERED, that this Court retain jurisdiction over any further application or matter
which may arise in connection with this Action.

Dated: New York, New York
2/25, 2011

BY THE COURT:


Honorable Alvin K. Hellerstein
United States District Judge